

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 192 – SB 132

May 24, 2010

**SUMMARY OF AMENDMENT (016736):** Deletes all language following the enacting clause. Authorizes the Governor, after consultation with the Attorney General, to employ additional or special counsel if it is determined to be in the best interest of the state.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$20,000/One-Time  
\$486,000/Recurring

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Other Fiscal Impact – Removal of the requirement in current law for the Attorney General to approve hiring outside counsel would result in an increase in state expenditures in cases in which the Governor employs outside counsel without agreement of the Attorney General. The amount or timing of any increase depends on the nature of cases that may arise and cannot reasonably be quantified but would likely exceed \$100,000 in any such case.**

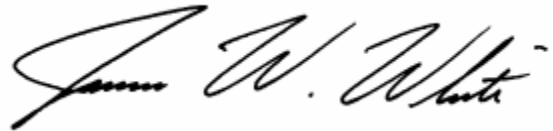
Assumptions applied to amendment:

- Current law requires a joint determination by the Governor and the Attorney General that hiring outside counsel is in the best interest of the state.

- Cases may arise in which the Governor employs outside counsel without agreement of the Attorney General. The potential cost cannot be quantified because it is unknown whether or how often this circumstance may arise. In addition, the cost of outside counsel may vary widely in each case due to variation in hourly rates for counsel, travel, nature of the case, number of attorneys employed, and the requirement of specialized expertise.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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